

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ORACLE AMERICA, INC.,

No. C 10-03561 WHA

Plaintiff,

v.

**ORDER DENYING PRÉCIS
REQUEST AS MOOT**

GOOGLE INC.,

Defendant.

Google requests to file a motion for summary judgment of invalidity of the '476 patent. In response, Oracle has withdrawn Claim 14, the only asserted claim of the '476 patent. The Court interprets Oracle's withdrawal as an affirmative statement that it has surrendered Claim 14 in the same manner as previously surrendered claims, that is, Oracle may not renew this infringement claim in a subsequent action except as to new products. If this is not the case, Oracle must respond by **NOON ON MARCH 5**. For now, Google's request is **DENIED AS MOOT**.

IT IS SO ORDERED.

Dated: March 2, 2012.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE